

# FIERY FOUNTAINS OF MOLTEN ROCKS PLAY HIGH IN AIR

Heavy Rains Falling, Dampness  
and Dense Vapors Clouding  
View of Mountain

## NIGHT VIEW OF GREAT ERUPTION MAGNIFICENT

Persons Returning From Big Is-  
land Give Vivid Description  
of Volcanic Activities

(Special By Mutual Wireless)

H ILO, Hawaii, May 23.—(Received in Honolulu at 5:30 p. m.)—The Kahuku Ranch lava flows remain almost stationary, so extremely slow is their rate of progress, and they show every evidence of being about to come to an end.

The known damage wrought by these two streams of molten rock thrown out from Mauna Loa is confined to about ten acres of choice fattening lands towards Kona, and is not as great as was believed at first.

### Three Flows Are Verified

John W. Waldron of Honolulu, traveling alone, at four o'clock this morning penetrated to the nearest fountain of the south flow.

It has been definitely ascertained that there are three flows, two of which are running towards the Kahuku Ranch in Kau, and the third, by far the largest of the three streams of lava, towards Kona.

The spectacle was a most magnificent one last night and was viewed by thousands who, in hundreds of automobiles and other vehicles, as well as on horseback, lined the road for a great distance to watch the glowing flows.

Four large fountains were seen playing their fiery jets, which were thrown hundreds of feet into the air.

At the seven-thousand-foot elevation, the activity today had abated considerably. Heavy rains are falling, the dampness and volcanic smoke clouding the view considerably.

## H ILO REPORTS EBB OF LAVA RUNS

(Special By Mutual Wireless)

H ILO, Hawaii, May 23.—(Received in Honolulu at 5:03 p. m.)—The flows heading toward the Waiohine village and the central flow are reported here to be dying out and it is not believed that any of the lava streams will reach or cross the government road.

Hundreds of persons from Hilo, who made the trip to watch the great volcanic display, were disappointed last night. They failed to see any of the flowing lava. Owing to the conflicting reports, which spread as to the exact locations of the rivers of lava, they missed reaching the right places from where the flows might have been seen. They viewed, however, with awe, the intense glow in the sky above the triple rivers of fire.

### Three Columns of Smoke

Three distant columns of smoke were seen rising in the midst of a brilliant, lurid glare.

The third flow is now within half a mile of the road near the school house at Paps, on the land of Honomalihi, Kona, and is making its way down the gentle slope of the mountain, between Robert McWayne's house and the Paps school building. The stream is flowing very slowly, a few feet an hour at times and at others considerably faster, much depending on the lay and slope of the land which it is covering on its way towards the road.

Several hundred Hilo, Puna, Kau and Kona people are viewing this flow. It exceeds in intensity and brilliancy the other two streams which cannot be seen from the government road.

### Lava Has Not Crossed Road

The former report that the road had been crossed by the lava flow and was blocked is now denied. The route is perfectly safe and is being used constantly by those going to and from the flow.

No further houses are reported to have been destroyed and all the cattle in the threatened district are now believed to have been driven off to perfect safety.

It is thought that some of the best raddocks in the McWayne Ranch have been totally destroyed by the lava flow.

## VIVID STORIES TOLD OF MAUNA LOA

Passengers returning from the Big Island yesterday by the Inter-Island steamers Mauna Kea and Mauna Loa are relating vivid tales of the spectacle furnished by this latest volcanic eruption, although none saw the outbreak of the resultant flow at close range.

It is evident, however, that the reflection of the fiery, moving mass of lava, in the vapor clouds formed above it, is so strong that it can be seen not only from all parts of the island of Hawaii but from Maui as well. Passengers in both vessels sat up Monday night, as the ships were along the Maui shores, watching the brilliant play of lights in the clouds above Mauna Loa. At times this light in the heavens assumed a deep rose color, changing to bright crimson; then to pink, and shifting back again to the deeper tones.

### Seen From Steamer Kiluaea

The Kiluaea, leaving Honolulu Friday, will go past Kona and around to Punahele, Kau, passing in the sea directly across the path of the downward moving lava stream. From the sea a magnificent view of the entire flow will be possible and it is likely that the ship's passenger accommodations will be filled to capacity by sightseers.

The Kiluaea, Captain Simerson in command, was at Punahele, Kau, on Friday when the first intimation of the impending eruption was noticed at that point.

"From the ship at seven o'clock Friday morning we observed huge columns of smoke-like vapor rising from the southern slopes of Mauna Loa mountain," said Captain Simerson, "but thought at the time it was merely a big fire set by someone on the mountain. We watched it closely, but later in the day the entire slope was enveloped in clouds and that remained until eleven o'clock Sunday night. The smoke had appeared to be not more than halfway up the slope.

### Glow Grows Brighter

"At eleven o'clock Sunday night the third main sea reflection of the fire in the clouds above Mauna Loa called me. We were at Keelokea bay, on the Kona coast, and almost due west of Mauna Loa's summit. As we moved north along the Kona coast the glow in the sky grew brighter. When we arrived at Kilauea we were told that persons in the vicinity of the flow had reported two streams moving toward the Kona coast. When we reached Mahukona at three o'clock Monday afternoon we were informed that a third flow had started, moving down the western slope into the Kilauea ranch in Kona."

William N. Cooke, bookkeeper for McWayne's shoe store, who stopped Sunday night at the Keelokea hotel in Waimea, on the Parker Ranch, had a spectacular view of the blazing mass from that hotel at four o'clock Monday morning. The moon was shining brightly and at times a haze hung over Mauna Loa's crest and far down the side, but he distinguished clearly a great glowing mass on the right side of the mountain, as he looked southward from Keelokea.

### Mass Of Lava Near Summit

This huge pile of fiery lava did not appear to be a great distance from the summit, he said. It lay stationary, changing color slightly from bright to dark red and returning to flaming brilliance. The mass, he inferred, had been deposited there earlier in the night or morning, from a higher source.

Samuel Parker, Jr., foreman of the Parker Ranch, received a telephone message from Kahuku early Monday morning that the third stream was advancing upon the Kahuku lands and threatening the livestock; he hastened away by horseback toward the scene. Kahuku Ranch now is a part of the Parker domain, where a number of large breeding and grazing paddocks have been maintained, and it is understood the lava is flowing over some of the ranch's choicest grazing property.

### Brilliant Glare In Daylight

An unusual feature of the spectacle is reported by members of the public utility commission party, headed by Chairman C. R. Forbes, who returned in the steamer Kiluaea yesterday from a trip across the Big Island. They say that on Monday, in broad daylight, the brilliant glare of the fire could be seen in the sky and relatively near by the peak of Mauna Loa, wrapped in a mantle of snow was visible. The top of the mountain, they report, is well covered in snow, thus proving that the eruption is a considerable distance below the crest.

Reports yesterday afternoon from Hawaii were that the two earlier streams, moving north in Kau, appeared to be losing strength while the newer and westerly branch, working its way across the Kahuku ranch lands in the general direction of Kapua was becoming larger and more active. It was moving only a few feet an hour, however, and had attained a half-mile in width at a point about a mile above the Honomalihi lower house.

### Koa Forest Is Destroyed

This report was supported by William McKay, Hilo agent for the Inter-Island Steam Navigation Company, who informed the Honolulu headquarters of the company that several paddocks of the Honomalihi ranch had been covered and the koa forest destroyed, while the fork of the stream probably would be across the belt road by today.

C. Brewer & Co. yesterday received a message from George H. Bingham, manager of the Hukilau Plantation Company at Naalehu, Kau, in which the flow is described as having "come out just below Puu Keohe (The White Hill), which is about 6500 feet above the sea. Mr. Bingham reports that there are two streams, one which is running towards Kilauea, near the Waiohine boundary. This stream has reached within half a mile of the forest reserve line. The other stream is running over Honomalihi, on land owned by the estate of the late Mrs. Bathsheba M. Allen, in the direction of Paps, Kona.

## SIGHTSEERS SHOULD GO PREPARED

Warning is issued to persons intending to get a view at close range of the big lava flow to equip themselves with strong, heavy-soled shoes before departing from Honolulu, and to carry with them, when they disembark from the boat at Kona or Kau, a good supply of drinking water and luncheon.

They will encounter rough traveling in the region of the flow and may have to go a considerable distance from supply stations.

Capt. A. C. Simerson, of the Inter-Island steamer Kiluaea, who took many sightseeing parties to Hawaii during Mauna Loa's eruption in 1907, says that visitors probably will be able to walk close enough to the flow to stir up the molten mixture with sticks.

In the former outbreak of the volcano, he said, it was customary for the sightseers to drag out portions of the lava to cooler spots, where they could mold them into quaint shapes before they hardened.

### CROUP

This disease is so dangerous and so rapid in its development that every mother of young children should be prepared for it. It is very risky to wait until the attack of croup appears and child suffer until it can be obtained. Chamberlain's Cough Remedy is prompt and effective and has never been known to fail in any case. Always have it on hand in the house. For sale by all dealers, Benson Smith & Co., agents for Hawaii.

# BOARD IS AGAINST EMERGENCY FUNDS

Supervisors Doubt Advisability  
of Further Appropriations  
For Special Work

## Retaliation Threatened Against Street Car Company For Com- plaints of Poor Paving

Emergency appropriations got a jolt at the meeting of the board of supervisors last night. The jolt came from the finance committee on the matter of the further allotment of funds for the water investigation committee and the additional appropriation for the work of the criminal investigation of the city attorney's department.

The first was re-referred to a committee of the water works and the second was not reported on, because Supervisor Hatch was not satisfied that with the well-paid detective force of the police department, it would be necessary for the city to give the attorney's office the \$300 asked, to catch the fake doctors said to be operating in the city.

### Blasphemy Too Well Known

The deputy city attorney explained that it was impossible for any of the detectives to catch these quacks, as the detectives were all known and it would be the same as sending a man with a hand and a placard out to catch them. The city attorney had to do this work in his own way to get results.

This did not seem to appeal to the finance committee, which stated that it would have to give further consideration before a report was made.

The matter of the Rapid Transit bus being withdrawn from Kahiki brought out a vote of the board that it had stood for enough of the complaints of the railway company on the condition of the streets which were being used for the running of its buses.

### 'High Time For Action'

Supervisor Hatch and Arnold were of the opinion that it was high time the board took action looking to the right of the supervisors to compel proper service by the company and the committee was referred to the road committee with the recommendation that it get busy with the city attorney and see if some relief could not be had for the people in outlying districts now not served by the railroad. The reference had the unanimous vote of all the supervisors.

A. F. Clarke, supervisor emeritus of Kaimuki, made a proposition to the board on behalf of the Kaimuki Improvement Club, that A. F. Cooke wanted to turn over about six acres of land at Kaimuki to the city for a park, if he could make arrangements with the Territory to exchange it for a fishpond on Molokai. The matter was referred to the parks committee.

### Peddlers To Get Licenses

Several applications to sell refreshments at Kapiolani park on Kamehameh Day were referred to the park committee with the understanding that all applicants be granted permission but that their area of peddling be restricted as to the committee should seem just.

The bill of J. H. Craig for drawing the plans of the new Keelokea school in the Central Grammar school grounds, amounting to \$1064, was approved, although the building inspector did not first get permission of the purchasing agent to incur the debt.

Minor errors in the working assessments in Manoa improvement districts brought to the attention of the board, were referred to the road committee with power to make adjustments.

Aylett charges were reported on by the committee having them under investigation and the report made stated that the charges had not been sustained. The report was accepted by the board.

### Next Meeting of the Supervisors

will take place on May 26.

# DOCTOR JUDD INSTRUCTS HOW TO SEND PARCELS

In a communication received here from Dr. James R. Judd, now at the front in charge of Hospital "B" at Jullily (Seine-et-Marne), France, he furnishes valuable information concerning the forwarding of parcels or boxes to that portion of the French front.

In the course of his letter, he says: "Instead of sending packages by first-class mail you may adopt the following method, which is probably better: Send all parcels and packages to the War Relief Clearing House No. 159 Bank Street, New York City, accompanied by a request to forward to us at our address through the War Relief Clearing House in Paris."

Doctor Judd suggests that persons in doubt as to what to send to the front and convalescent be guided by the following list of articles, which are particularly acceptable: Socks, cravats, colored handkerchiefs, underclothes, mufflers, and by way of amusement, games, puzzles, pictures, or anything of the like which would tend to assist in forgetting the harrowing days in the trenches.

## CAPTAIN VAN WAY WILL PAY SOLDIERS ON OAHU

Capt. C. W. Van Way, acting paymaster of the department, will pay off the troops of the Oahu garrison on Friday, May 26, according to an order issued yesterday. Pay Clerk Frank E. Parker will accompany Captain Van Way and each post visited will furnish guards.

# TENTATIVE PROGRAM FOR COMMENCEMENT

Army Officers in Oahu Members  
of West Point Alumni  
Receive Copies

Army officers in Oahu who are alumni of West Point military academy have received copies of the tentative commencement program, outlining the many social activities which will mark the end of the school year at that institution and the graduation of the senior class of cadets.

The superintendent of the academy will entertain members of the graduating class at his quarters the evening of June 6, and a general invitation has been extended to alumni to attend.

The secretary of war has been formally invited to attend the annual meeting of the Association of Graduates, which will take place June 12.

Arrangements for meeting all alumni and trainees are to be similar to those of last year, with Capt. Dan L. Sullivan of the Engineer Corps in charge with a staff of about twenty assistants who will serve as official "greeters." These will take charge of visitors' luggage and arrange for quarters and entertainment.

So far reunions of eleven classes have been arranged, with a possibility that others will be reunited at West Point next month, as announced at present, are those of '65, '66, '67, '76, '80, '91, '96, '01, '06 and '11.

The tentative schedule for the ceremonies and social events at West Point, beginning June 6, is given as follows:

Tuesday, June 6—Review by the superintendent, 4:15 p. m.; reception to the first class by superintendent, 5 p. m.; parade, 6 p. m.

Wednesday, June 7—Subaltern target practice 6 a. m.; 11 a. m.; baseball, Colgate University, 2:15 p. m.; escort of the color and battalion drill, 4:45 p. m.; parade, 6 p. m.; cadet hop, 8:15 p. m.

Thursday, June 8—Polo, Squadron A, 10 a. m.; gymnastics, fourth class, in gymnasium, 11 a. m.; Mountain Artillery drill, Cavalry drill, Field Artillery drill, 3 p. m.; parade, 6 p. m.; band concert, U. S. M. A. band, superintendent's quarters, 8 p. m.

Friday, June 9—Field day, 6 a. m.; shelter tent pitching, 4 p. m.; parade, 6 p. m.; open air play, 8 p. m.

Saturday, June 10—Equitation in riding hall, 10 a. m.; inspection, 2:00 p. m.; polo squadron A, 3 p. m.; cadet hop, 8:15 p. m.

Sunday, June 11—Graduation sermon, 10:40 a. m.; dedication of class memorial windows, new cadet chapel before 3:30 p. m.; organ recital, new cadet chapel, 4:00 p. m.; parade, 6 p. m.; band concert, U. S. M. A. band, at hotel, 8 p. m.

Monday, June 12—Military callisthenics, 10 a. m.; meeting of the Association of Graduates, 3 p. m.; review, secretary of war, 4:15 p. m.; reception to the secretary of war, 5 p. m.; graduation parade, 6 p. m.; graduation hop, 8:30 p. m.

Tuesday, June 13—Graduation exercises, 10 a. m.

# NO NEW POLICIES FOR SCHOOL WORK

Teachers Will Be Appointed At  
Annual Meeting of Board  
of Education

According to an estimate furnished by Henry W. Kinney, superintendent of public instruction, about 1400 new students will enter the public schools of the Territory, when the school year opens next September. Out of the present enrollment of 30,577 it is estimated that with the close of the school year only about 900 pupils will leave the institutions.

At the annual meeting of the school commissioners to be held next Monday, the appointment of teachers for the coming school year, as well as the consideration of applications for transfers, and other routine business, will be taken up. The following named educators are expected to be present: W. H. Smith, H. W. Kinney, S. D. Bond, Hawaii; Mrs. Theodore Richards, Oahu; T. G. Blackman, Oahu; Dr. C. Lindsey, Maui; Eric Kauffman, Kauai. Superintendent Kinney, George S. Raymond, inspector, and Miss Daisy Smith, secretary of the board, will also attend.

As far as is now known there will be no new policies adopted nor new projects launched.

Recommendations will be submitted to the board by Superintendent Kinney for the summer school staff. The summer school will open on July 5, continuing for twenty school days. It is expected that fully 150 teachers will enroll.

# WILLIAM H. MCCLELLAN IS BOORON CHAIRMAN

William H. McClellan, former member of the board of supervisors and now a harbor board commissioner, will head the Democratic county committee for the coming year.

At a meeting for the organization and election of officers of this committee, held last night in the Pauahi street headquarters of the party, the following officers were elected:

Wm. H. McClellan, chairman; Albert Kauwe, vice chairman; Benjamin N. Kaholepuna, secretary; Moses Akaka, assistant secretary; Gilbert J. Waller, treasurer, and Dick K. Diamond, sergeant at arms.

# NINETY-MILE RIDE IN ARMY SUSPENDED

Also All Other Physical Tests  
Which Most Officers Here  
Have Undergone

In a letter to the commanding general, Eastern Department, dated May 12, 1916, the secretary of war directed that the provisions of orders relating to the annual physical tests and physical examinations of officers be suspended during the present fiscal year. Copies of this correspondence have just been received at headquarters of the Hawaiian Department. The suspension of the tests and examinations will not affect many officers of the command on Oahu, as it is understood that the majority of the officers here have already undergone their annual tests and examinations.

The principal order of the provisions of which are suspended under these instructions is the famous "ninety-mile ride" order, issued at the behest of Colonel Roosevelt when he was in the White House. It provides that all officers on the active list of the army shall keep themselves in condition at all times to perform field service and exercises that regular and systematic exercise shall be taken throughout the year, looking to the securing of this end, and places the arrangement of details for such exercise upon post commanders and department commanders are enjoined to enforce conscientious compliance with the terms of the order.

Department commanders, under this order, are required to cause each officer within the department to be physically examined at least once each year, the examination to be conducted, when practicable, by two medical officers. As soon as possible after the physical examinations, all officers above the grade of captain, excepting those whom the surgeons declare unfit to take the test, are required to take the riding test of thirty miles per day, for three consecutive days, one ride of not to exceed more than six and one half hours, and two and to require longer than seven and one half hours each. The courses are usually carefully laid out, camps made, and provisions made for the care of both officers and their mounts while in camp.

In Hawaii, the ride is reduced to sixty miles—twenty miles on three consecutive days, to be completed in two thirds of the time above mentioned. Immediately after the ride, a second examination is taken and the physical effects of the ride carefully noted.

These tests have been the means of uncovering no small amount of physical disability, and while not severe in their requirements, have, in the past, proved too much for some of those who have been required take the ride.

Conat Artillery Officers above the grade of captain are permitted a choice of a ninety mile ride for a fifty mile march, the march to be made in the same length of time as the ride.

# ROAD DEPARTMENT MATTERS COME UP

Proposition Made To Restore  
\$10,000-Month Appropriation

The matter of putting the road department back to the former appropriation of 10,000 a month for the balance of the present six months was discussed at the board meeting last night but no definite action taken. It was referred to the committee on ways and means and the road committee for investigation.

A proposition to allow fifty dollars a month to P. E. Haley, out of the Koolaula appropriation for road maintenance, for the purpose of keeping Punahele road in repair, was referred to the city engineer, as was the request of John Lucas to erect a fence three feet out into the street from the curbline in front of Wickham's store.

The use of the sidewalks for the purpose of making alterations in buildings in the downtown portion of the city was condemned by the members and the engineer requested to give notice that in future this encroachment on the rights of the public should not be permitted.

## RODIEK HAS NO NEWS OF YUAN DECORATION

"It is new to me," said Geo. F. Rodiek, German consul for Hawaii, when asked concerning the report published in the San Tin Shipo, a Chinese daily issued in Peking, that he had been decorated by President Yuan Shih-kai of China. No reason is given for the conferring of the decoration, which is said to be of the fourth degree order, according to the report, which adds that it is given only to persons who have performed a signal service for the government.

## JUDGE WILDER REPORTED AS STILL AFTER GOVERNOR

According to interviews with him published in San Francisco papers, Judge A. A. Wilder is to carry his fight against Governor Pinkham to Washington this trip. In his talks with the San Francisco reporters, Wilder is credited with saying that he will take his charge directly to the President and Secretary Tamm of the interior department. He accuses Pinkham of misappropriation of funds and says that action by the grand jury on similar charges has been halted by lack of funds. He further says the William Pinkham in the national guard and decided that Pinkham is dilatory, his lack of decision hampering many business interests.

# MC CANDLESS MAY SEEK MAYORALTY

This Is Latest Report That His  
Friends Are Circulating  
Among Democrats

L. L. McCandless, a Democratic candidate for mayor of Honolulu, is a possibility of the coming city campaign, if the reports of the politicians are to be taken as worth anything.

It is said that McCandless has changed his mind about wanting to go to congress and thinks that the position of chief executive of the city is a very desirable one if it meets with the approval of sufficient of the proletariat.

The candidacy of McCandless is said to have sprung from the split in the ranks of the Democrats caused at the last primary election, when the delegates to the national convention were selected, and Joseph J. Fern decided all of a sudden that he would run on the Pinkham ticket. At the time, Fern was told that if he lent himself to the Governor's scheme to carry the election he would be punished by having the support of the McCandless wing of the party withdrawn from him if he ever wanted to run for office again and the rumor of McCandless' candidacy is taken as the carrying out of the threat made at the time.

# MANY ARMY OFFICERS GO UP FOR PROMOTION

Advancements Will Begin When  
President Signs Military Bill

While examinations for the promotion of army officers who are to be advanced by the military legislation now pending in congress will not begin until the President signs the final draft of the army bill, preparations for the tests are under way.

Advices received here from Washington indicate that captains of infantry down to No. 62 on the list will appear before boards in various portions of the country and on foreign stations, as will also infantry first lieutenants down to No. 262 and all second lieutenants of infantry now on the lineal list.

There are also several field officers here who will be examined and the total list of infantry officers of the ways and means committee and the executive committee of the ways and means committee. On May 11, Judge Ballou, delivered an address before the women's section of the Navy League on the "Swiss Military System." Gen. William H. Carter, formerly in command of the Hawaiian Department, spoke upon "Military Preparedness."

# BALLOUS ARE PROMINENT IN RECENT WOMAN'S CAMP

A program of the national service school of the women's section of the Navy League, held at Chevy Chase, near Washington, May 1 to 15, gives prominent mention of Mr. and Mrs. Sidney Ballou, Mrs. Ballou with Mrs. George Dewey and Mrs. Richard Wright Sr., and others constituted the national service school committee; her name also appears as a member of the committee on committees of the ways and means committee and the executive committee of the ways and means committee.

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### NEW HEBRIDES JURIST

IS EN ROUTE TO SPAIN

The Count of Buena Esperanza, president of the joint court of the New Hebrides, was a through passenger by the Oceanic steamer Sierra, yesterday, bound for San Francisco, New York and Spain. The count said that he is not on a diplomatic mission, and that his journey is purely personal and business reasons. He will pay a visit to Queen Mary and King George of England, and also pay his respects to the king of Spain. The international court of which the count is president handles all cases coming under the jurisdiction of the French and English governments, which own the New Hebrides jointly.

## CAN'T STAND THE WORK

No matter how hard a man's work is he can enjoy it if he has a clear head, a sound body and steady nerves. But none, aching backs and "jumpy" nerves make hard work harder.

Often it's only weak kidneys. The work itself may bring kidney trouble. Work that requires constant bending, reaching, stooping or lifting strains the kidneys in time. So will jolting, vibration, dampness, sudden changes of heat and cold, chemical fumes, or being always on one's feet.

Kidney sufferers complain of being tired all the time, lame in the morning, dull and nervous; they have headache, dizzy spells, darting pains and bladder troubles.

Don't give up. Don't let gravel, dropsy or Bright's disease make a start. Help the kidneys. Use Doan's Backache Kidney Pills. The kidney remedy that is praised everywhere.

"When Your Back Is Lame—Remember the Name." Don't simply ask for a kidney remedy—ask distinctly for Doan's Backache Kidney Pills and take as often. Doan's Backache Kidney Pills are sold by all druggists and storekeepers at 50c a box (six boxes \$2.50), or will be mailed on receipt of price by the H. J. Doan Co., 2601 Broadway, New York, N. Y., or by the Hawaiian Islands.—Advertisement

# MORE LITIGATION INVOLVE BIG PARKER HOLDINGS

Administrator Is Unable To Reach  
Satisfactory Method of Ap-  
praising Great Estate

COURT HAS BEEN ASKED  
FOR EXTENSION OF TIME

## Inheritance Tax, Which Is Over- due and Cannot Be Adjusted, Subject To Penalty

More litigation over the \$3,000,000 estate left by Annie Thelma Parker Smart is looming on the legal horizon. Attorneys Thompson, Milverton & Cathcart, representing the Trust Trust Company, administrator of the estate, have admitted that so far they have been unable to reach a satisfactory method of appraising the estate, although more than eighteen months have gone by since the death of Mrs. Smart. They have asked the court to remit the penalty of ten per cent imposed by the law for failure to pay the inheritance tax after a reasonable lapse of time.

Technically, this question of the inheritance tax upon the big estate, a tax that in itself amounts to a large sum of money for the officers of the Territory, is the one that may have to be decided by an appeal to the courts. The attorneys, however, have been working hard to avoid this, and have been holding frequent consultations with I. M. Stainback, territorial attorney-general, in an effort to reach some understanding whereby the matter can be satisfactorily settled.

No Appraisal Made

"In the papers prepared by Mr. Milverton, in whose hands the affair has been placed, and filed in the circuit court yesterday, it is pointed out that owing to the 'unavoidable delays in the probating of the will of Mrs. Smart and in administering the estate' she left, it has been impossible to settle the matter within eighteen months."

The petition for the order of the court, abrogating the legal penalty of ten per cent for failure to pay the inheritance tax, also states that this delay has been due to the many complications that have arisen in the settlement of the estate. The petition also speaks of the "frequent consultations between the attorneys and the attorney-general" in an effort to straighten out the situation and reach a satisfactory adjustment. These negotiations are still under way, it is understood, but no method of making an appraisal has been determined upon, and no appraisal has been made.

Trust Deed Is Drawback

The questions involved in the settlement of the Smart estate are many and vexatious, declare lawyers who have been in touch with the case. There is a trust deed included in the will of Mrs. Smart. The trust deed provides for the interests of Mrs. Elizabeth J. Knight, mother of Mrs. Smart, Henry G. Smart, deceased, the husband of the testatrix, Richard Smart, her infant son, and a number of others. The bequests provided by Mrs. Smart in her will are made "under the authority vested in her by" this trust deed, which was filed April 25, 1912.

All this complicated the probating of the will and the litigation started by Mrs. Knight, following the death of her daughter, and the death of Smart, has further complicated the whole matter and such a satisfactory adjustment. These negotiations are still under way, it is understood, but no method of making an appraisal has been determined upon, and no appraisal has been made.

The amount of the inheritance tax, which the beneficiaries under the will are to pay individually and collectively, the payment of the sums given to them by Mrs. Smart; the status of Mrs. Knight's interest in the estate, and the legal status of the boy, Richard Smart, under the will, are all to be settled.

Question of Compulsory Tax

Attorney Milverton, in speaking of the latest developments, said yesterday: "I believe that the case can be carried through without further litigation so far as the question of the inheritance tax is involved. There have been so many complications in the whole affair, that the question of computing the inheritance tax has been rendered extremely difficult, and in order to avoid paying the ten per cent penalty which the law provides shall be levied in case of undue delay in the payment of that tax, we have asked the court for additional time. The court has